

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Silvercup Studios Associates Limited Partnership

)

Plaintiff

)

v.

)

Steven Baharestani, aka Steven Bahar, individually
and doing business as Silvercup Hotel, Long Island C

)

Defendant

)

Civil Action No.

CV 10-6028

VITALIANO, J.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Steven Baharestani, aka Steven Bahar
165 East 66th Street, Apt 15H
New York, NY 10065

LEWV M

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Cowan, Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT HEINEMANN
Juror Deen

Juror Deen
Signature of Clerk or Deputy Clerk

Date: 12/29/2010

EPS Judicial Process Service, Inc.
29-27 41st Avenue, Suite 812
Long Island City, NY 11101
Telephone: 718-472-2900
Facsimile: 718-472-2909

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
SILVERCUP STUDIOS ASSOCIATES LIMITED
PARTNERSHIP,

Case No. 10 CV 6028
AFFIDAVIT OF SERVICE

Plaintiff (s),

-against-

STEVEN BAHARESTANI, aka STEVEN BAHAR,
individually and doing business as SILVERCUP
HOTEL, LONG ISLAND CITY PARTNERS, LLC,
and BAHAR CORP.,

Defendant (s).

-----X
STATE OF NEW YORK)
:s.s.:
COUNTY OF QUEENS)

JONATHAN ALEJANDRO, being duly sworn, deposes and says:

I am not a party to this action, am over the age of eighteen years, and
reside in the State of New York.

On the 5th day of January, 2011, at approximately 12:50 p.m. at 165 East 66th
Street, New York, New York, I attempted to serve true copies of the SUMMONS IN A
CIVIL ACTION; COMPLAINT; INDIVIDUAL MOTION PRACTICE AND RULES
OF JUDGE ERIC N. VITALIANO and MAGISTRATE JUDGE ROBERT M. LEVY, in
the above entitled-action, upon STEVEN BAHARESTANI, aka STEVEN BAHAR,
defendant herein named, but upon my arrival I was greeted by the doorman for the
aforementioned address who refused to identify himself by name, however after calling

Mr. Baharestani's apartment and getting no response informed me that no one was home, therefore I left the premises.

Sworn to before me this,
18th day of January, 2011


NOTARY PUBLIC


JONATHAN ALEJANDRO
License No. 1301531

CLENDY J. CALDERON
Notary Public, State of New York
No. 01CA6115564
Qualified in Queens County
Commission Expires September 7, 2008 (J)

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SILVERCUP STUDIOS ASSOCIATES LIMITED
PARTNERSHIP,

Case No. 10 CV 6028
AFFIDAVIT OF SERVICE

Plaintiff (s),

-against-

STEVEN BAHARESTANI, aka STEVEN BAHAR,
individually and doing business as SILVERCUP
HOTEL, LONG ISLAND CITY PARTNERS, LLC,
and BAHAR CORP.,

Defendant (s).

-----X
STATE OF NEW YORK)
:S.S.:
COUNTY OF QUEENS)

ROLAND DAVID, being duly sworn, deposes and says:

I am not a party to this action, am over the age of eighteen years, and
reside in the State of New York.

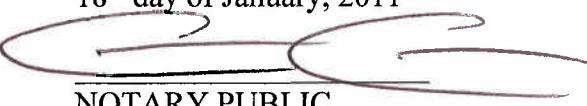
On the 6th day of January, 2011, at approximately 9:15 a.m. at 165 East 66th
Street, New York, New York, I attempted to serve true copies of the SUMMONS IN A
CIVIL ACTION; COMPLAINT; INDIVIDUAL MOTION PRACTICE AND RULES
OF JUDGE ERIC N. VITALIANO and MAGISTRATE JUDGE ROBERT M. LEVY, in
the above entitled-action, upon STEVEN BAHARESTANI, aka STEVEN BAHAR,
defendant herein named, but upon my arrival I was greeted by the doorman for the
aforementioned address who refused to identify himself by name, however after calling
Mr. Baharestani's apartment and speaking with someone over the phone, who I believe
was Mr. Baharestani the doorman instructed me to go up to Mr. Baharestani's apartment
15-H. Once I reached Mr. Baharestani's apartment and knocking on the door I noticed

someone look through the peek-hole. I proceeded and informed the individual from behind the door that I was a Licensed Process Server and had legal papers for Steven Baharenstani an individual from behind the door said he doesn't want them. I informed the individual that I was affixing the papers to the door. Right when I was about to post the papers an employee for the building met up with me without any communication this individual informed me that I must leave the premises as Mr. Baharenstani was not home. Before I left I affixed the papers to the door to complete the service. At time of service the employee for the building witnessed the service.

On the 6th day of January, 2011, at approximately 9:30 a.m. at 165 East 66th Street, Apartment 15-H, New York, New York, I served true copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; INDIVIDUAL MOTION PRACTICE AND RULES OF JUDGE ERIC N. VITALIANO and MAGISTRATE JUDGE ROBERT M. LEVY, in the above entitled-action, upon STEVEN BAHARESTANI, aka STEVEN BAHAR, defendant herein named, by personally delivering to and affixing thereat the aforementioned documents to the door of the aforementioned address.

The employee can best be described as a Caucasian male, approximately 45-48 year of age, 5'6" tall, 195 lbs, with dark hair and dark eyes.

Sworn to before me this,
18th day of January, 2011


NOTARY PUBLIC


ROLAND DAVID
License No. 1346079

CLENDY J. CALDERON
Notary Public, State of New York
No. 01CA6115564
Qualified in Queens County
Commission Expires September 7, 2008 

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SILVERCUP STUDIOS ASSOCIATES LIMITED
PARTNERSHIP,

Case No. 10 CV 6028
AFFIDAVIT OF SERVICE

Plaintiff (s),

-against-

STEVEN BAHARESTANI, aka STEVEN BAHAR,
individually and doing business as SILVERCUP
HOTEL, LONG ISLAND CITY PARTNERS, LLC,
and BAHAR CORP.,

Defendant (s). -----X

STATE OF NEW YORK)
:s.s.:
COUNTY OF QUEENS)

EDDIE SANTAMARIA, being duly sworn, deposes and says:

I am not a party to this action, am over the age of eighteen years, and
reside in the State of New York.

On the 7th day of January, 2011, at approximately 7:50 p.m. at 165 East 66th
Street, New York, New York, I attempted to serve true copies of the SUMMONS IN A
CIVIL ACTION; COMPLAINT; INDIVIDUAL MOTION PRACTICE AND RULES
OF JUDGE ERIC N. VITALIANO and MAGISTRATE JUDGE ROBERT M. LEVY, in
the above entitled-action, upon STEVEN BAHARESTANI, aka STEVEN BAHAR,
defendant herein named, at his residence, but upon my arrival I was greeted by the
doorman for the aforementioned address who refused to identify himself by name,
however after calling and speaking to Mr. Baharestani and informing him that I had legal
papers for him Mr. Baharestani authorized the doorman to accept service of process on
his behalf, therefore.

On the 7th day of January, 2011, at approximately 8:00 p.m. at 165 East 66th Street, New York, New York, I served true copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; INDIVIDUAL MOTION PRACTICE AND RULES OF JUDGE ERIC N. VITALIANO and MAGISTRATE JUDGE ROBERT M. LEVY, in the above entitled-action, upon STEVEN BAHARESTANI, aka STEVEN BAHAR, defendant herein named, by personally delivering to and leaving thereat true copies of the above mentioned documents with the doorman for the aforementioned address. At time of service, the doorman would not give his name, however informed me that he was authorized to accept service of process on behalf of Steven Baharenstani. The doorman is a person of suitable age and discretion at the aforementioned address.

The doorman can best be described as a Caucasian male, approximately 30-35 year of age, 5'11" tall, 175 lbs, with light hair and light eyes.

On the 10th day of January, 2011, I completed the service of the SUMMONS IN A CIVIL ACTION; COMPLAINT; INDIVIDUAL MOTION PRACTICE AND RULES OF JUDGE ERIC N. VITALIANO and MAGISTRATE JUDGE ROBERT M. LEVY upon STEVEN BAHARESTANI, aka STEVEN BAHAR, defendant herein named, pursuant to CPLR 308, via First Class Mail. Such service was made by personally enclosing true and correct copies of the aforementioned documents in a properly addressed, postage paid, securely fastened wrapper bearing the legend "personal and confidential", and not indicating by return address or otherwise that such communication was from an attorney or concerned an action pending against him, and then depositing it

into an official depository under the exclusive care and custody of the United States Postal Service within the State of New York to:

Steven Baharestani, aka Steven Bahar
165 East 66th Street
Apartment 15H
New York, NY 10065

Sworn to before me this,
18th day of January, 2011

NOTARY PUBLIC

CLENDY J. CALDERON
Notary Public, State of New York
No. 01CA6115564
Qualified in Queens County
Commission Expires September 7, 2012


EDDIE SANTAMARIA
License No. 1102704